

**INTERNATIONAL TRADE
COMMISSION****[Investigation No. 337-TA-921;
(Enforcement Proceeding)]****Certain Marine Sonar Imaging Devices,
Including Downscan and Sidescan
Devices, Products Containing the
Same, and Components Thereof;
Commission Determination To Grant a
Joint Unopposed Motion To Terminate
the Enforcement Proceeding Based on
a Settlement Agreement and an
Unopposed Motion To Rescind the
Remedial Orders; Termination of the
Investigation****AGENCY:** U.S. International Trade
Commission.**ACTION:** Notice.**SUMMARY:** Notice is hereby given that
the U.S. International Trade
Commission has determined to grant a
joint unopposed motion to terminate the
enforcement proceeding based on a
settlement agreement and an unopposed
motion to rescind the remedial orders.**FOR FURTHER INFORMATION CONTACT:**Lucy Grace D. Noyola, Office of the
General Counsel, U.S. International
Trade Commission, 500 E Street SW,
Washington, DC 20436, telephone 202-
205-3438. Copies of non-confidential
documents filed in connection with this
investigation are or will be available for
inspection during official business
hours (8:45 a.m. to 5:15 p.m.) in the
Office of the Secretary, U.S.
International Trade Commission, 500 E
Street SW, Washington, DC 20436,
telephone 202-205-2000. General
information concerning the Commission
may also be obtained by accessing its
internet server (<https://www.usitc.gov>).
The public record for this investigation
may be viewed on the Commission's
electronic docket (EDIS) at [https://
edis.usitc.gov](https://edis.usitc.gov). Hearing-impaired
persons are advised that information on
this matter can be obtained by
contacting the Commission's TDD
terminal on 202-205-1810.**SUPPLEMENTARY INFORMATION:** The
Commission instituted the original
investigation on July 14, 2014, based on
a complaint filed by Navico, Inc. of
Tulsa, Oklahoma, and Navico Holding
AS, of Egersund, Norway (collectively,
"Navico"). 79 FR 40778 (July 14, 2014).
The complaint alleged violations of
section 337 of the Tariff Act of 1930, as
amended, 19 U.S.C. 1337, in the
importation into the United States, the
sale for importation, and the sale within
the United States after importation of
certain marine sonar imaging devices,
including downscan and sidescandevices, products containing the same,
and components thereof by reason of
infringement of certain claims of U.S.
Patent Nos. 8,305,840 ("the '840
patent"), 8,300,499, and 8,605,550 ("the
'550 patent"). *Id.* The named
respondents included Garmin
International, Inc. and Garmin USA,
Inc., each of Olathe, Kansas
(collectively, "Garmin"), and Garmin
(Asia) Corporation of New Taipei City,
Taiwan. *Id.* The Office of Unfair Import
Investigations was also named as a
party. *Id.*On December 1, 2015, the
Commission found a violation of section
337 based on infringement of certain
claims of the '840 and '550 patents. 80
FR 76040, 76040-41 (Dec. 7, 2015). The
Commission issued a limited exclusion
order prohibiting Garmin and Garmin
(Asia) Corporation from importing
certain marine sonar imaging devices,
including downscan and sidescan
devices, products containing the same,
and components thereof that infringe
claims 1, 5, 7, 9, 11, 16-19, 23, 32, 39-
41, and 70-72 of the '840 patent and
claims 32 and 44 of the '550 patent. *Id.*
The Commission also issued cease and
desist orders against Garmin and
Garmin (Asia) Corporation, prohibiting
the sale and distribution within the
United States of articles that infringe
certain claims of the '840 and '550
patents. *Id.* at 76041.On August 18, 2016, the Commission
issued a modified limited exclusion
order. Notice (Aug. 18, 2016).On October 17, 2016, the Commission
instituted the subject enforcement
proceeding based on a complaint filed
by Navico, alleging that Garmin violated
the cease and desist orders issued in the
original investigation. 81 FR 71531,
71531-32 (Oct. 17, 2016). On May 25,
2017, the presiding administrative law
judge ("ALJ") issued an enforcement
initial determination finding that
Garmin violated the cease and desist
orders. The ALJ also recommended
imposition of a civil penalty of
approximately \$37 million if the
Commission found a violation of the
cease and desist orders.On June 13, 2017, the U.S. Court of
Appeals for the Federal Circuit issued a
decision in *Garmin International, Inc. v.
International Trade Commission* (No.
16-1572), finding invalid as obvious all
claims covered by the remedial orders
and reversing the Commission's final
determination of a section 337 violation.
On October 31, 2017, the Federal Circuit
issued a mandate in accordance with its
June 13, 2017 judgment.On November 1, 2017, Garmin filed a
motion to terminate the enforcement
proceeding in light of the reversal of thefinal determination of violation in the
original investigation. On November 2,
2017, Garmin filed a motion to rescind
the remedial orders. On November 13,
2017, Navico and OUII filed responses
to Garmin's motion to terminate and
motion to rescind the remedial orders.
On November 17, 2017, Garmin filed a
motion to file a reply. On November 28,
2017, Navico filed an opposition to
Garmin's motion to file a reply.On February 14, 2018, Navico and
Garmin filed a joint motion to terminate
the enforcement proceeding based on a
settlement agreement. Public and
confidential versions of the parties'
settlement agreement are attached to the
motion. The joint motion states that the
settlement agreement resolves the
dispute between Navico and Garmin in
the enforcement proceeding and that
"[t]here are no other agreements, written
or oral, express or implied, between
Navico and Garmin regarding the
subject matter of this proceeding." The
motion also states that "there no longer
exists a basis upon which to continue
this enforcement proceeding," that
"termination of this proceeding
pursuant to the [agreement poses no
threat to the public interest," and that
"it is in the interest of the public and
administrative economy to grant this
motion." The joint motion also
requested that the Commission act on
Garmin's unopposed motion to rescind
the remedial orders. On February 26,
2018, OUII filed a response, supporting
the joint motion to terminate the
enforcement proceeding and request to
rescind the remedial orders.The Commission has determined to
grant the joint unopposed motion to
terminate the enforcement proceeding
based on a settlement agreement. The
Commission finds that the joint motion
complies with the requirements of
section 210.21(b)(1) of the Commission's
Rules of Practice and Procedure (19 CFR
210.21(b)(1)) and that there are no
extraordinary circumstances to prevent
the requested termination. The
Commission also finds that termination
of the enforcement proceeding would
not be contrary to the public interest.
The enforcement proceeding is
terminated.The Commission has also determined
to rescind the modified limited
exclusion order and cease and desist
orders.The authority for the Commission's
determination is contained in section
337 of the Tariff Act of 1930, as
amended (19 U.S.C. 1337), and in part
210 of the Commission's Rules of
Practice and Procedure (19 CFR part
210).

By order of the Commission.

Issued: March 19, 2018.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2018-05816 Filed 3-21-18; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Global Climate and Energy Project

Notice is hereby given that, on November 22, 2017, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), Global Climate and Energy Project (“GCEP”) has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its nature and objectives. The notifications were filed for the purpose of extending the Act’s provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the members of GCEP have amended the agreement between them to change the nature and objectives of GCEP by extending the termination of GCEP from August 31, 2018, to August 31, 2019, modifying the work descriptions of GCEP, and revising the payment obligations of the members.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and GCEP intends to file additional written notifications disclosing all changes in membership.

On March 12, 2003, GCEP filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on April 4, 2003 (68 FR 16552).

The last notification was filed with the Department on August 17, 2015. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on September 29, 2015 (80 FR 58504).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2018-05764 Filed 3-21-18; 8:45 am]

BILLING CODE 4410-11-P

DEPARTMENT OF LABOR

Employee Benefits Security Administration

Proposed Exemption From Certain Prohibited Transaction Restrictions

AGENCY: Employee Benefits Security Administration, Labor.

ACTION: Notice of proposed exemption.

SUMMARY: This document contains notice of pendency before the Department of Labor (the Department) of a proposed individual exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and/or the Internal Revenue Code of 1986 (the Code). If this proposed one-year temporary exemption is granted, certain entities with specified relationships to BNP Paribas will not be precluded from relying on the exemptive relief provided by Prohibited Transaction Class Exemption 84-14.

DATES: *Applicable Date:* If granted, this proposed one-year temporary exemption will be applicable for the period beginning on May 30, 2018 until the earlier of: (1) May 29, 2019; or (2) the date of final agency action made by the Department in connection with an application for longer-term exemptive relief for the covered transactions described herein.

Written comments and requests for a public hearing on the proposed exemption should be submitted to the Department within five days from the date of publication of this **Federal Register** Notice.

ADDRESSES: Comments should state the nature of the person’s interest in the proposed exemption and the manner in which the person would be adversely affected by the exemption, if granted. A request for a hearing can be requested by any interested person who may be adversely affected by an exemption. A request for a hearing must state: (1) The name, address, telephone number, and email address of the person making the request; (2) the nature of the person’s interest in the exemption and the manner in which the person would be adversely affected by the exemption; and (3) a statement of the issues to be addressed and a general description of the evidence to be presented at the hearing. The Department will grant a request for a hearing made in accordance with the requirements above where a hearing is necessary to fully explore material factual issues identified by the person requesting the hearing. A notice of such hearing shall

be published by the Department in the **Federal Register**. The Department may decline to hold a hearing where: (1) The request for the hearing does not meet the requirements above; (2) the only issues identified for exploration at the hearing are matters of law; or (3) the factual issues identified can be fully explored through the submission of evidence in written (including electronic) form.

All written comments and requests for a hearing (at least three copies) should be sent to the Employee Benefits Security Administration (EBSA), Office of Exemption Determinations, U.S. Department of Labor, 200 Constitution Avenue, NW, Suite 400, Washington, DC 20210. Attention: Application No. D-11949. Interested persons are also invited to submit comments and/or hearing requests to EBSA via email or FAX. Any such comments or requests should be sent either by email to: e-oed@dol.gov, or by FAX to (202) 693-8474 by the end of the scheduled comment period. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of the Employee Benefits Security Administration, U.S. Department of Labor, Room N-1515, 200 Constitution Avenue NW, Washington, DC 20210.

Warning: All comments received will be included in the public record without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be confidential or other information whose disclosure is restricted by statute. If you submit a comment, EBSA recommends that you include your name and other contact information in the body of your comment, but DO NOT submit information that you consider to be confidential, or otherwise protected (such as Social Security number or an unlisted phone number) or confidential business information that you do not want publicly disclosed. However, if EBSA cannot read your comment due to technical difficulties and cannot contact you for clarification, EBSA might not be able to consider your comment. Additionally, the <http://www.regulations.gov> website is an “anonymous access” system, which means EBSA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email directly to EBSA without going through <http://www.regulations.gov>, your email address will be automatically captured and included as part of the comment